REMARKS

This paper is submitted in response to the final Office Action dated, December 9, 2009, wherein (a) claims 24-32 were pending; (b) claims 24, 25, 28, and 31 were rejected under 35 U.S.C. §102(b) as anticipated by Stocchi (U.S. Patent Application Publication No. 2003/0075547); and (c) claims 26, 27, 29, 30, and 32 were rejected under 35 U.S.C. §103(a) as obvious over Stocchi in view of Petri (U.S. Patent No. 6,058,985).

By way of the foregoing, claim 24 is currently amended.

Claims 24-32 are pending and at issue.

Prompt and favorable consideration of the application, as amended, is requested.

As mentioned above, the Office Action has rejected the pending claims mainly on Stocchi and Petri. In the applicant's opinion, however, the Office Action continues to misinterpret the teachings of both references, and therefore, improperly relies on hindsight gleaned purely from the applicant's disclosure to reject the claims.

For example, Stocchi discloses a monolithic table 10 defining a star configuration of the stars integrated into the table, which configuration can no longer be changed once the table has been produced. The table 10 consists of upper and lower steel sheet plates 18, 20 which are interconnected by welding and reinforced by braces 16 inside the hollow space of the table before the hollow space is filled by injected material, which finally is solidified and hardened. The table 10 presents a completely closed surface and has inserted or embedded mounting structures, e.g. 26, for drive shafts of the stars. Floor feet 12 are located inside the polygonal contour of the table and are firmly secured not only to the steel sheet casing of the table but also to the inner core 17. Practically, the floor feet 12 are embedded in the table. The fixation plane for the stars is the plane of the table 10. The transportation plane of the support structure lies above the fixation plane. Fig. 1 shows, below the fixation plane about 1 cm above reference number A1, a strut or a plate, which apparently is welded to two floor feet 10. This strut or plate has not been explained in detail. However, it is clear that the support structure of Stocchi does not disclose a tube or profile frame consisting of detachably interconnected sections with free fields in-between the sections and, in particular, around each star or each support housing (e.g. component 26) of a star. Furthermore, the Stocchi

support structure does not have nodes within the monolithic support structure or floor feet located at nodes of the support structure.

As a consequence, when neutrally evaluating the teaching of Stocchi, the reference is directed to a monolithic fully closed table defining the fixation plane of the support structure, the table having a certain contour which cannot be changed and having functional components like stars integrated in the table at fixed locations. Finally, each support housing 26 is an open tube section for the shaft of a carousel (e.g., a star) which is rotating in relation to the table 10, meaning that liquids may enter between the shaft and the support housing 26 when the shaft is rotating.

In particular, Stocchi does not teach, as the Office Action states on pages 2 and 3, a support structure being one of a pipe or profile frame with sections, because there is no frame but only the monolithic table 10. As such, Stocchi does not disclose sections being one of a stainless steel pipe or a round solid profile. Moreover, Stocchi does not disclose profiled parts whose bottoms are open. (Even the bottom of the tube section 26 is closed as soon as the carousel shaft 14 is mounted.) Furthermore, Stocchi does not disclose sections, each presenting at least one joining end that fits with connection interfaces of a floor foot or a support housing in the fixation plane of the support structure, because the strut or plate shown in Fig. 1 does not correspond to a section in the fixation plane. Further still, Stocchi does not disclose nodes disposed within a frame and free fields or interspaces between sections within the frame and around the support housings. Finally, Stocchi does not disclose sections which can be combined with each other or with the support housings or the floor feet to change the star configuration of the support structure. For each of the foregoing reasons, the applicant asserts that Stocchi cannot anticipate and of the pending claims. As such, reconsideration and withdrawal of the outstanding anticipation rejections are respectfully requested.

The applicant further asserts that Petri cannot remedy the deficiencies of Stocchi. Rather, Petri merely represents "old-fashioned" prior art, which, e.g., is also mentioned in Stocchi [0008]. That is, Petri discloses a set-up table having a cast and consequently monolithic support structure, namely the hood-shaped carrier plate 6 the outer edge of which determines the configuration of the support structure (See, column 2, lines 53 to 59, column 3, lines 1 to 5 "cast or welded body"). A cast or welded body defining the hood with the round mushroom head shaped parts and the interconnecting broad beams between the round mushroom headshaped support housing lower parts, once welded or cast, is a monolithic

structure in the fixation plane, the configuration of which can no longer be changed once the set-up table is manufactured.

While a combination of Stocchi and Petri might be feasible, the result of such a combination would not arrive at the claimed invention, but rather would result in a monolithic table structure, either having a polygonal contour or having a contour with straight and rounded edges as in Petri. In either case, the structure will not include a pipe or profile frame having nodes and free fields between the sections and, in particular, around each support housing. Neither reference discloses any detachable connections between joining ends and support housings or the floor feet in either Stocchi or Petri (the floor feet are integrated into the lower sides of the support housings), which detachable connections could allow to change the overall star configuration of the support structure even once the support structure is assembled. Both support structures in Stocchi and Petri are customised with a certain star configuration which cannot be changed afterwards.

Contrary to the position set forth in the Office Action, Petri fails to disclose a pipe or profile frame, because column 3, lines 43 to 46 of Petri, as cited in the Office Action (which perhaps was meant to be column 4, lines 39 to 52), discloses "a carrier or support or base plate which covers the drive devices which are covered in the manner of a hood. This structure cannot be equated to an "open and modifiable" tube or profile frame mainly consisting of detachably interconnected sections with functional units integrated at nodes into the frame. There neither exists nodes in a pipe or profile frame, nor any connection interfaces or joining ends in the fixation plane within the welded or cast support structure of Petri. Both support structures of Stocchi and Petri are directed to bottle handling apparatuses unable to minimise the collection of dirt, as they present closed large top surfaces hindering to easily clean the regions of the support housings in the fixation plane.

Therefore, in view of the foregoing, the applicant submits that neither Stocchi nor Petri, alone or in combination, can render any of the claims, as amended, obvious.

The core of the present invention is to provide a tube or profile frame with open fields within the frames and in particular around the support housings which are fixed at nodes of the frame, with the sections either connected with each or with floor feet or with support housings in detachable fashion, facilitating to change the star configuration of the support structure upon demand, e.g., if further functional components have to be integrated into the

support structure or have to be removed from the support structure, by using the detachable connections. Moreover, the support structure is easier to clean, because it contains many open fields where liquids flow to the floor and where there is access from all sides to the support housings to even actively clean them and the floor. Furthermore, the underlying idea is to build the support structure from the sections which are held on stock in certain lengths and with prefabricated joining ends to either erect various different support structures (having different configurations) according to different user requirements, or to change a selected star configuration of an already assembled support structure later when necessary. This is a completely different philosophy than the philosophy of a monolithic unchangeable and closed table structure in the fixation planes of Stocchi and Petri.

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance. Prompt and favorable consideration of the application is requested.

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Respectfully submitted,

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